IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Review Petition No.l00 of 2004
in
PIL Writ Petition No.l32 of 2003

Shamsunder H Potre.....Petitioner
vs
State of Mah and ors... Respondents

Mr.A.A.Garge for petitioner
Mr. S.G.Deshmukh for respondent nos. 2 and 3
Mr. R.G.Ketkar for respondent nos. 5 and 6

CORAM: A.P.SHAH & V.K.TAHILRAMANI JJ.

Dated 24.ll.2004

P.C:

Heard advocates. Perused the affidavits filed by respondent no.2 i.e. Baramati Municipal Council and respondent nos 5 and 6 i.e. owners of the property. It appears that respondent nos.5 and 6 have carried construction in S.No.28lC with permission of the Municipal Council and the said Survey Number is not the subject matter of the petition. The adjoining S.No.28lA is earmarked for 30'x20' wide road in the development plan. The respondent nos 5 and 6 have filed affidavit stating that no permanent construction has been carried out in S.No.28lA. They have stated that temporary construction is erected on S.No.28lA for using as kitchen and as and when the property is acquired by the Council for the purpose of road, the said

structure will be removed. The Municipal Council is free to take action in respect of the said property in accordance with law.

Review petition is accordingly disposed of.